REMARKS

Claims 13-20, 28-30 and 32 are all of the claims pending in the application.

I. Claim Rejections under 35 U.S.C. 102

Claims 13-20, 28-30 and 32 have been rejected under 35 U.S.C. 102(e) as being anticipated by Dunstan (US 6,876,310). Applicants kindly request reconsideration of this rejection in view of the following comments.

Regarding claim 13, Applicants note that this claim recites the feature of at least two apparatuses which are to provide output of the same type; wherein each of said at least two apparatuses includes a communication section for transmitting to said control server a notification signal indicative of a pending change or a change in an output state of said each of said at least two apparatuses. Applicants respectfully submit that Dunstan does not disclose or suggest at least this feature of claim 13.

With respect to Dunstan, Applicants note that this reference discloses a method for determining the location of a remote control device, and controlling consumer electronic (CE) devices based on the determined location of the remote control device. As shown in Fig. 4 of Dunstan, a remote control (RC) device 450 is provided which is capable of controlling the CE devices (e.g., TV1, VCR1, TV2, etc.) located in each of the rooms 1-4, wherein each of the rooms includes a transmitter (405-408) that transmits a location code specific to the individual room (see col. 2, lines 56-65 and col. 3, lines 7-9).

For example, as explained in Dunstan, when a user is located in room 1, and wishes to control the CE devices located in room 1 (i.e., TV1 and VCR1), the remote control device 450 will know that it is located in room 1 by receiving a control code transmitted by the transmitter

405 (see col. 3, lines 47-51). Thus, when a user is in room 1 and selects to control TV1 located therein via the remote control device 450, the user will select a command via the user interface of the remote control device 450 (e.g., TV on, channel number, volume, etc.), whereby the remote control device 450 forms a packet including the location code received from the transmitter 405, and transmits the packet to a transceiver 430, which carries out the requested command in conjunction with the processor 420 (see col. 3, lines 4-7 and 53-59; and col. 4, lines 18-24).

In a similar manner, as disclosed in Dunstan, if the user travels to a new room with the remote control device 450, one of the transmitters 405-408 that is continuously transmitting a location code will give the appropriate location code information to the remote control device 450, thereby providing the remote control 450 device with the ability to know which room it is located in (see col. 4, lines 14-18).

In addition to the above-noted disclosure, Dunstan also explains that a user can circumvent the specific location that they are located within by entering a specific command via the remote control device 450, thereby providing the ability for the user to control a CE device that is located in a different room than the user is currently located (see col. 6, lines 42-46). For example, as disclosed in Dunstan, if a user travels to a new room, but forgot to turn off a CE device in the previous room, the user can override the received location code and enter the location code of the previous room, whereby the commands entered by the user will be carried out by the CE device (see col. 6, lines 46-51).

As noted above, claim 13 recites the features of at least two apparatuses which are to provide output of the same type; wherein each of said at least two apparatuses includes a

communication section for transmitting to said control server a notification signal indicative of a pending change or a change in an output state of said each of said at least two apparatuses.

Regarding the claimed "at least two apparatuses which are to provide output of the same type" and the "control server", Applicants note that the Examiner has relied on Figs. 2 and 4 of Dunstan, respectively, as depicting such features. In this regard, based on Applicants' review of Figs. 2 and 4, it appears as though the Examiner is taking the position that the CE devices correspond to the claimed "at least two apparatuses", and that the processor 420 corresponds to the claimed "control server".

With respect to such a position, however, as noted above, claim 13 recites that each of the at least two apparatuses includes a communication section for transmitting to said control server a notification signal indicative of a pending change or a change in an output state of said each of said at least two apparatuses.

Based on the above-noted description of Dunstan, as well as the Examiner's above-noted correspondence between Dunstan and the elements recited in claim 13, Applicants respectfully submit that Dunstan does not disclose or in any way suggest that the CE devices include a communication section for transmitting to the processor 420 a notification signal indicative of a pending change or a change in an output state of the CE devices. Instead, as explained above, Dunstan merely discloses the use of a remote control device 450 which receives location information from the transmitters 405-408, wherein when a command is input to the remote control device (e.g., TV on), the command is sent to the transceiver 430 along with the location information, with the command being carried out on the appropriate CE device by referencing the location information.

In view of the foregoing, Applicants respectfully submit that Dunstan does not disclose, suggest or otherwise render obvious the feature of at least two apparatuses which are to provide output of the same type; wherein each of said at least two apparatuses includes a communication section for transmitting to said control server a notification signal indicative of a pending change or a change in an output state of said each of said at least two apparatuses, as recited in claim 13.

Accordingly, Applicants submit that claim 13 is patentable over Dunstan, an indication of which is kindly requested. If the Examiner maintains the above-noted rejection, Applicants kindly request that the Examiner specifically identify which signal in Dunstan corresponds to the claimed "notification signal".

In addition, Applicants note that claim 13 also recites that the control server includes a determination section for receiving the notification signal from said one of said at least two apparatuses, and in response to the notification signal, determining an output state to be taken by said another of said at least two apparatuses based on the control rule and the location-related information. In the Office Action, Applicants note that the Examiner has taken the position that Dunstan discloses such a feature at col. 4, lines 42-56 (see Office Action at page 3). Applicants respectfully disagree.

In particular, with respect to the disclosure at col. 4, lines 42-56 of Dunstan, as described above, this disclosure merely indicates that the user has the ability to circumvent the specific location that they are located within by entering a specific command via the remote control device 450, thereby providing the ability for the user to control a CE device that is located in a different room than the user is currently located.

Thus, while Dunstan discloses the ability to control a CE device that is located in a

different room by entering a specific command to the remote control device 450, Applicants respectfully submit that such disclosure does not in any way correspond to the above-noted feature of a determination section for receiving the notification signal from said one of said at least two apparatuses, and in response to the notification signal, determining an output state to be taken by said another of said at least two apparatuses based on the control rule and the location-related information, as recited in claim 13.

Accordingly, Applicants submit that claim 13 is patentable over Dunstan, an indication of which is kindly requested.

Further, Applicants note that claim 13 recites that said determination section is also for deriving from the location-related information a distance between said one of said at least two apparatuses and said another of said at least two apparatuses, and determining not to change the output state of said another of said at least two apparatuses if the distance, as derived from the location-related information, is equal to or greater than a predetermined distance. In the Office Action, Applicants note that the Examiner has taken the position that Dunstan discloses such a feature at col. 4, lines 42-56 (see Office Action at page 3). Applicants respectfully disagree.

In particular, as explained above, Applicants note that the above-noted section of Dunstan discloses the ability for a user to circumvent the specific location that they are located within by entering a specific command via the remote control device 450, thereby providing the ability for the user to control a CE device that is located in a different room than the user is currently located. In addition, as described above, Dunstan discloses the use of location information that is sent from the transmitters 405-408 to the remote control device 450, and then from the remote control device 450 to the transceiver 430, so that the correct CE device is controlled.

Based on the foregoing, Applicants note that while Dunstan discloses location information that is used to determine the correct CE device to be controlled, Applicants respectfully point out to the Examiner that the location information in Dunstan is not used to determine a distance between two of the CE devices, and therefore, it is clear that the location information in Dunstan cannot be used to determine not to change an output state of one of the CE devices, if the distance between two CE devices is equal to or greater than a predetermined distance.

In view of the foregoing, Applicants respectfully submit that Dunstan does not disclose, suggest or otherwise render obvious the above-noted feature of claim 13 which recites that said determination section is also for deriving from the location-related information a distance between said one of said at least two apparatuses and said another of said at least two apparatuses, and determining not to change the output state of said another of said at least two apparatuses if the distance, as derived from the location-related information, is equal to or greater than a predetermined distance.

Accordingly, Applicants submit that claim 13 is patentable over Dunstan, an indication of which is kindly requested. Claims 14-20 depend from claim 13 and are therefore considered patentable at least by virtue of their dependency.

Regarding claim 28, Applicants note that this claim recites the features of a determination section for receiving from said one of said at least two apparatuses a notification signal indicative of a pending change or a change in an output state of said one of said at least two apparatuses, and in response to the notification signal, determining an output state to be taken by said another of said at least two apparatuses based on the control rule and the location-related

information; wherein said determination section is also for deriving from the location-related information a distance between said one of said at least two apparatuses and said another of said at least two apparatuses, and determining not to change the output state of said another of said at least two apparatuses if the distance, as derived from the location-related information, is equal to or greater than a predetermined distance.

For at least similar reasons as discussed above with respect to claim 13, Applicants respectfully submit that the Dunstan does not disclose, suggest or otherwise render obvious at least the above-noted features recited in claim 28. Accordingly, Applicants submit that claim 28 is patentable over Dunstan, an indication of which is kindly requested.

Regarding claim 29, Applicants note that this claim recites the features of transmitting to said control server a notification signal indicative of a pending change or a change in the output state of said one of said at least two apparatuses; deriving from said location-related information a distance between said one of said at least two apparatuses and said another of said at least two apparatuses, and determining not to change the output state of said another of said at least two apparatuses if the distance, as derived from said location-related information, is equal to or greater than a predetermined distance; upon receipt of said notification signal, determining the output state to be taken by said another of said at least two apparatuses based on said control rule and the distance between said one of said at least two apparatuses and said another of said at least two apparatuses, as derived; and operating said another of said at least two apparatuses so as to transition into the output state as determined when the distance between said one of said at least two apparatuses and said another of said at least two apparatuses, as derived, is less than the predetermined distance.

For at least similar reasons as discussed above with respect to claim 13, Applicants respectfully submit that Dunstan does not disclose, suggest or otherwise render obvious at least the above-noted feature recited in claim 29. Accordingly, Applicants submit that claim 29 is patentable over Dunstan, an indication of which is kindly requested.

Regarding claim 30, Applicants note that this claim recites the features of a determination step for receiving from the one of the at least two apparatuses a notification signal indicative of a pending change or a change in an output state of the one of said at least two apparatuses, in response to the notification signal, determining the output state to be taken by the another of the at least two apparatuses based on the control rule and the distance between the one of the at least two apparatuses and the another of the at least two apparatuses, as derived, and determining not to change the output state of the another of the at least two apparatuses if the distance, as derived, is equal to or greater than a predetermined distance; and an operation step for operating the another of the at least two apparatuses so as to transition into the output state as determined when the distance between the one of the at least two apparatuses and the another of the at least two apparatuses, as derived, is less than the predetermined distance.

For at least similar reasons as discussed above with respect to claim 13, Applicants respectfully submit that the Dunstan does not disclose, suggest or otherwise render obvious at least the above-noted features recited in claim 30. Accordingly, Applicants submit that claim 30 is patentable over Dunstan, an indication of which is kindly requested.

Regarding claim 32, Applicants note that this claim recites that each of the apparatus and the at least one other apparatuses includes a communication section for transmitting to the control server a notification signal indicative of a pending change or a change in an output state;

wherein the control server includes a determination section for receiving the notification signal from said one apparatus, and in response to the notification signal, determining an output state to be taken by said another apparatus based on the control rule and the location-related information, and wherein said determination section is for deriving from the location-related information a distance between said one apparatus and said another apparatus, and for determining not to change the output state of said another apparatus if the distance, as derived from the location-related information, is equal to or greater than a predetermined distance.

For at least similar reasons as discussed above with respect to claim 13, Applicants respectfully submit that Dunstan does not teach, suggest or otherwise render obvious at least the above-noted feature recited in claim 32. Accordingly, Applicants submit that claim 32 is patentable over Dunstan, an indication of which is kindly requested.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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October 1, 2008